



GOVERNMENT OF INDIA
CIVIL AVIATION DEPARTMENT
DIRECTOR GENERAL OF CIVIL AVIATION

ATAC NO. 1 of 1997
Dated: August, 1997

AIR TRANSPORT ADVISORY CIRCULAR

Subject : **AIR OPERATOR CERTIFICATION PROCEDURE**

1. INTRODUCTION

1.1 In accordance with the provisions of Rule 134 of the Aircraft Rules, 1937 no persons shall operate an air transport service to, within and from India without permission of the Central Government. The authority to grant the permission has been delegated by the government to DGCA. Accordingly, permits for operating the following types of air transport services are presently issued by DGCA to applicants who meet the laid down requirements for the specific type of air transport service:

1. Scheduled Air Transport Service (Passenger)
2. Scheduled Air Transport Service (Cargo)
3. Non- Scheduled Air Transport Service (Passenger)
4. Non- Scheduled Air Transport Service (Cargo)

These permits are equivalent to the Air Operator's Certificate required to be granted by ICAO member States in accordance with the provisions of Annex 6. Permits for any other special type of operation can be granted subject to the applicant showing satisfactory capability to undertake the type of operations.

Air Transport Advisory Circular 1 of 1997

1.2 This Air Transport Advisory Circular (ATAC) explains the procedure followed for grant of the permits and the various requirements which an applicant has to fulfill for obtaining the permit. The issuance of a permit shall be dependent upon the applicant demonstrating an adequate Organisation, method of control and supervision of flight operations, training programme and maintenance arrangements consistent with the nature and extent of the operations specified. On compliance of the requirements, the applicant would be issued a permit, setting forth the operational authorisation and limitations to carry out the specified commercial air transport and special operations.

2. APPLICABLE RULES AND REQUIREMENTS

2.1 In discharge of its responsibilities for regulating air transportation and ensuring safety of aircraft operations, DGCA has laid down detailed rules, regulations, requirements and procedures under the provisions of Aircraft Act, 1934. The main responsibility for the safe conduct of the operations and for compliance with the laws, rules regulations, requirements and directions issued from time to time is that of the operator. These laws and regulations cannot in themselves provide the operator with comprehensive and detailed instructions on which to base his operations, The operator should, therefore, develop its own detailed operating procedures necessary for safety, regularity and efficiency of operations within the frame work of the laws, rules, regulations, requirements and directions issued by DGCA from time to time.

2.2 While requirements on various aspects relating to air transport services are laid down in the Aircraft Rules, 1937, Civil Aviation requirements and ICAO Annexes, the following documents stipulate the specific requirements for grant of permit to operate air transport services. India being signatory to Chicago Convention, it is obligatory on all Indian operators to comply with the provisions of the ICAO Annexes. Annex 6 contains the requirements relating to air transport operations.

I. Schedule XI of the Aircraft Rules, 1937 - Requirements for Grant of Permit for Scheduled Operations.

II. Civil Aviation Requirement, Section 3, Series 'C' Part II - Minimum Requirements for Grant of Permission and to Operate Scheduled Air Transport Services.

III. Civil Aviation Requirement, Section 3, Series 'C' Part III - Minimum Requirements for Grant of Permission and to operate Non-Scheduled Air Transport Services (Passenger).

IV. Civil Aviation Requirement, Section 3, Series 'C' Part V - Minimum Requirements for Grant of Permission and to Operate Non-Scheduled Air Transport Services (Cargo).

3. PROCEDURE FOR GRANT OF PERMIT

The procedure for grant of Air Operator's Permit is outlined in the following steps

- i. Application for grant of initial No Objection Certificate (NOC).
- ii. Examination of the application for issue of initial No Objection Certificate.
- iii. Actions required to be taken by initial NOC holder.
- iv. Application for permission for import/acquisition of aircraft.
- v. Actions to be taken after import/acquisition of aircraft.
- vi. Issue of Air Operator's permit.

The detailed procedures on the aforesaid steps are given in the following paras of this Air Transport Advisory Circular.

4. APPLICATION FOR THE GRANT OF INITIAL NOC

4.1 For grant of initial NOC for a specific type of operating permit, written application (8 copies) of the relevant applicable form given in Annexures IA and IB along with project feasibility report is required to be submitted to the Ministry of Civil Aviation, Rajiv Gandhi Bhawan, Safdarjung Airport, New Delhi - 110 003. The application should contain all the required information along with the supporting documents and the necessary fee. Incomplete application or an application without the supporting documents or the fee, is liable to be rejected. The main thrust of the information sought through the application for grant of initial NOC is to know the applicant's plans of the proposed services, areas of operation, type of aircraft to be acquired, financial soundness of the applicant, the organisational set up, project viability, proposed main base of operations and night stop stations.

4.2 The applicant shall also furnish along with the application, names of all the Directors of the Board and the Chief Executive, their nationality, passport details, addresses and the other details as per Annexure II for necessary security clearance. If any foreign investment is planned in the project, prior approval of the Foreign Investment Promotion Board (FIPB) shall be obtained by the applicant.

5. EXAMINATION OF THE APPLICATION BY THE STANDING COMMITTEE

5.1 The applications are examined by a Standing Committee constituted by the Ministry of Civil Aviation. The Committee meets as and when necessary depending upon the number of applications received. Applications are

Air Transport Advisory Circular 1 of 1997

examined from various aspects i.e, the need for the services in the proposed area keeping in view the existing services, airport capacity and constraints at the proposed main base and night stop station, suitability of the proposed aircraft type keeping in view the airworthiness and safety regulations, satisfactory plan of human resource development, maintenance arrangement and compliance with the requirements stipulated for grant of the permit sought by the applicant. If considered necessary, the Committee may call the representative of the applicant to clarify any queries which the Committee may have on the proposed operations.

- 5.2** On receipt of security clearance for the Board of Directors of the company and FIPB clearance of foreign investment, if involved, the Committee recommends to the Ministry of Civil Aviation grant of initial NOC to those applicants whose proposals are found satisfactory and who meet the initial requirements, subject to the conditions as may be considered necessary. Initial NOC is intended to enable the applicant to start developing the infrastructure, preparing the necessary documents, recruiting and training of manpower etc. Each application is examined by the Committee in detail. The deficiencies observed in the applications are brought out in the recommendations to the Ministry. The Ministry examines the recommendations of the Committee and takes decision as considered appropriate. The applicants whose applications are found satisfactory by the Committee and approved by the government, are granted NOC by DGCA. The NOC is normally valid for one and a half years during which period the applicant should take further steps to comply with the other requirements and acquire the Permit. The applicant shall have to apply for import of aircraft within a period of six months. The NOC may be extended on genuine ground with prior approval of the competent authority. However, where the aircraft proposed to be imported is a new one with a definite delivery schedule, the validity of the NOC will be in accordance with delivery schedule. Applicants whose applications are not accepted are informed of the deficiencies found in their applications. They may furnish to the Ministry of Civil Aviation the necessary information on the deficiencies found in their applications for reconsideration of the Committee.

6. PREPARATORY STEPS REQUIRED TO BE TAKEN BY THE INITIAL NOC HOLDERS

The real preparation for developing the capability to operate the services commences after grant of initial NOC to the applicant. The major items on which the applicant is required to take action are given hereunder. While completion of some of the under mentioned actions may be possible only after acquisition of the aircraft, the applicant should initiate and complete actions to the extent possible before acquisition of the aircraft is permitted.

6.1 Management Personnel Required

A sound and effective management structure is essential and it is particularly important that the operational management should be properly qualified and should have proper status in the Organisation to ensure safety of operations. It

Air Transport Advisory Circular 1 of 1997

is, therefore, essential that the applicant has enough management personnel in its operations and that these personnel are competent and qualified in the respective areas and should be employed on full time basis in the following or equivalent positions:

- 1 . Chief Executive Officer
2. Director/Chief of Operations.
3. Director of Engineering/Chief Engineer
4. Quality Control Manager
5. Chief of Flight Safety.

The duties and responsibilities of the managers and senior executives must be clearly defined in writing and chains of responsibility firmly established. While the number of persons required will vary with the size and the complexity of the operations, the applicant must satisfy the DGCA that the management Organisation is adequate and properly matched to the operating network and commitments. The names, qualifications and experience of the aforesaid management personnel shall be submitted to DGCA. The positions held by these personnel in the Organisation shall be indicated in the applicant's operations manual and quality control manual.

6.2 Preparation of the Policy Documents.

The rules, regulations and requirements promulgated by the Civil Aviation Department provide a framework of positive control and guidance. It should however, be recognised that it is not feasible or desirable to cover every conceivable operational detail in the rules and regulations. The operators should, therefore, develop their own instructions for the guidance of personnel on the details essential for the conduct of the operation. This helps to facilitate the development of operating standards and techniques best suited to particular circumstances and conditions of operation. On these principles the operator should lay down all its policies regarding operation, maintenance and training in the following documents for the type of aircraft proposed:

- a. Operations Manual
- b. Training Manual (for Scheduled Operations only)
- c. Quality Control Manual
- d. Maintenance System Manual including the various periodic Inspection Schedules and Special Inspection Schedules.
- e. Minimum Equipment List and Configuration Deviation List
- f. Component Overhaul and Storage Limitations (COSL)
- g. Security Manual
- h. Flight Safety Manual

6.3 Recruitment and Training of Personnel

The applicant should recruit and start training of adequate number of the following categories of personnel on the type of aircraft proposed to be acquired:

- a. Flight Crew
- b. Aircraft Maintenance Engineers
- c. Cabin attendants
- d. Load and Trim Sheet personnel
- e. Flight Dispatchers
- f. Security personnel
- g. Any other category of personnel required for the operations

The cabin attendants shall undergo training in accordance with the requirements laid down in the Civil Aviation Requirements Sec-7 Series 'M' Part I. The commercial staff shall be adequately trained for the preparation of load and trim sheet and loading of the aircraft in accordance with the Civil Aviation Requirements Sec 2 Series 'F' Part XXII. The Flight Dispatchers shall undergo the DGCA approved training programme successfully in accordance with the Civil Aviation Requirements Section-7 Series 'M' Part II. The training programme for each category of personnel should be developed based upon the background of the trainees and DGCA approval obtained prior to commencement of the training. The training should be conducted at institutes approved/acceptable to DGCA. Necessary training of the other categories of personnel shall also be carried out.

6.4 Security Clearance and approval of Foreign Pilots and Engineers.

If foreign pilots or engineers are required to be used for operations, the applicant should furnish their complete details as per Annexure III for obtaining security clearance. It should be ensured that the personnel are proficient in English language and meet and experience and other requirements laid down by DGCA in CAR Section 3 Series 'C' Part I. On receipt of the necessary security clearance, DGCA may authorise the pilots or engineers who meet the requirements and pass the oral examination in accordance with AIC 17 of 1994 to operate and maintain the Indian registered aircraft. DGCA may require the pilots and engineers to undergo certain checks with DGCA nominated examiner/flight inspectors. It should be noted that while operating or maintaining the Indian registered aircraft, the foreign pilots and engineers are required to follow the Indian rules, regulations and procedures. Any violation in this regard may result in withdrawal of their authorisation.

6.5 Setting up of Maintenance Facilities and Systems

On receipt of initial NOC, the applicant should start setting up the basic maintenance facilities for the aircraft type to be operated in accordance with CAR Section 2 Series 'E'. The salient actions in this regard are briefly given

Air Transport Advisory Circular 1 of 1997

below:-

- a) The applicant should nominate suitable persons as Quality Control Manager and Deputy Quality Control Manager as per the approved Q.C. manual of the organisation who shall be responsible for complying with the laid down requirements and adhering to quality control procedures as approved in the Quality Control Manual.
- b) The Quality Control set up of the organisation should be adequately staffed by recruiting technical officers to perform the following Quality Control functions:
 - Delay, defect and engineering incident investigation and analysis
 - Reliability analysis, engine performance monitoring and component life control
 - Compliance of Service Bulletins, modifications, inspection schedules, maintenance of technical records, issue of technical circulars and distribution of technical data.

The technical staff required to perform the above functions should be trained adequately on the quality control functions and on aircraft type.

- c) The applicant shall prepare a Quality Control and Maintenance System Manual for his organization. This manual should describe the engineering quality control procedures and the maintenance system to be followed. The format of the contents of the manual is given in CAR Section 2 - Airworthiness, Series 'E' Part I. The manual should be submitted to the concerned Regional/Sub-regional Airworthiness Office for approval.
- d) The operator shall prepare maintenance inspection schedules including special inspection schedules for the aircraft and submit to the Regional/Sub-Regional Airworthiness Office for approval. The schedules shall be primarily based on the Manufacturers' Maintenance Planning Document (MPD) or any other similar document. Where schedules have been already approved for the operators of same type of aircraft, the same may be adopted with necessary modifications, if required, for any differences in the aircraft configuration with the approval of the Regional/Sub-Regional Airworthiness office.

Note: Applicant for Schedule Air Transport Services shall establish his own facilities to carry out inspection schedules at least up to Flight Release Certification of the aircraft. Applicant for Non-Scheduled Air Transport Services may carry out inspection schedule either at his own facility or any other DGCA approved firm for the type. For higher maintenance of the aircraft, necessary arrangements made by the operator should be to the satisfaction of DGCA.

- e) The applicant shall prepare a list of major components indicating the reliability control system of components such as Hard Time life, On Condition maintenance, Condition Monitoring and submit it to the Regional/Sub-regional Airworthiness office for approval. While proposing the reliability control system

Air Transport Advisory Circular 1 of 1997

of components, the manufacturer's recommendations may be followed. History Cards shall be prepared for all major components.

- f) The applicant should set up facilities for the following:
Non Destructive Testing (NDT) facilities as applicable
Battery shop
Wheel/Brake shop
Engine change facility
- g) Readouts of Cockpit Voice Recorder (CVR) and Flight Data Recorder (FDR) are extensively used for safety oversight and monitoring health of operations. The applicants shall develop their own CVR readout facilities. For DFDR readout they may develop their own facilities or make arrangement with some DGCA approved agency to prepare the readout as and when required. However, as the fleet size grows the operator should have his own DFDR readout facilities.
- h) The applicant shall set up an environment controlled bonded store, which should be equipped with suitable racks, stands and bins for storing aircraft spares and notables. Suitable person(s) should be approved as Stores Inspectors. A system will have to be developed to ensure that the life limited items do not remain in the stores on expiry of their fixed life.
- i) The store shall be equipped with adequate quantity of spares, notables and consumables including spare CVR and FDR/DFDR. However, necessary agreement with the manufacturer/supplier of aircraft may be made for supply of spares along with the aircraft.
- j) The operator shall identify and procure all the tools and equipments required for each maintenance inspection schedule to be performed on the aircraft and its engine. Similarly, special tools required for inspection shall be identified and procurement action taken so that the tools are received by the time the aircraft is acquired.
- k) The applicant shall procure up-to-date copies of the Aircraft Flight Manual, Flight Crew Operating Manual, Maintenance Planning Document, Maintenance Manual, Illustrated Parts Catalogue, Structural Repair Manual, Wiring Diagram Manual and Weight and Balance Manual and other documents, as laid down in CAR Section 2, Series 'F' Part III. The operator shall procure copies of all applicable Airworthiness Directives, Service Bulletins and DGCA mandatory modifications. The applicant should also be on the mailing list of the aircraft and engine manufacturers for prompt receipt of modifications, Service Bulletins, Service Letters etc.

6.6 Approval of Security Programme

The applicant shall have his own security programme and necessary trained manpower in accordance with the requirements of Bureau of Civil Aviation

Air Transport Advisory Circular 1 of 1997

Security (BCAS) and get the programme approved from BCAS.

6.7 Publication of the Application in the Gazette of India for Scheduled Operations

In accordance with the requirements of Schedule XI of the Aircraft Rules, 1937, an application for grant of permit for Scheduled Operations is required to be published in the Gazette of India for inviting public comments. The information required to be published as per the format given at Annexure IV shall be submitted by the applicant.

6.8 Setting up of Operations Office and Safety Cell

The applicant shall set up adequately staffed and equipped operations office and safety cell to support and monitor flight operations. The Flight Dispatchers should be trained on the type of aircraft in accordance with the requirements of CAR Section 7 Series 'M' Part II. The operations officers should be fully familiar with the functions of monitoring Flight Duty Time Limitations, validity of licence, instrument ratings, medical checks and refresher courses, updating of operations documents, Civil Aviation Requirements, Aeronautical Information Circulars, Aeronautical Information Publications and other circulars. Dedicated Safety Cell should also be set up as per the requirement of CAR Section 8 Series 'A' Part II. In case of shortage of current pilots some medically grounded or retired pilots could be utilised in the safety cell and for safety audit team. Adequate number of Load and Trim Sheet personnel should be trained in accordance with the provisions of CAR Section 2 Series 'F' Part XXII. The applicant shall also establish the facility or have the arrangement for carrying out the preflight medical check of Cockpit Crew and Cabin Attendants as specified in Civil Aviation Requirements Section 8 Series 'A' Part II. The operator shall have approved Cockpit Check List for safe operation of aircraft. The operator shall give thorough briefing to the operating crew about procedures of various airports, standard operating procedures, prohibited areas and precautions to be exercised while operating at various airports in India.

6.9 Setting up of Commercial Department

The applicant shall set up adequately staffed and well equipped commercial department that will oversee and monitor all aspects of commercial operations of the airline. Broadly speaking, the elements of a sound commercial organization shall include but not be limited to:

- a. An adequate Load Control Cell that will ensure that aircraft is properly loaded as per the weight and balance requirements. For this purpose the cell shall have calibrated weighing machines, trained and approved staff for Load and Trim Sheet, approved load and trim sheet, appropriate/ adequate loading mechanism, trained loaders etc.
- b. Proper baggage trolleys, step-ladder, cargo containers, loading mechanism like bulk loader, tractors, towing bars, bus etc. These vehicles/equipments

Air Transport Advisory Circular 1 of 1997

should be of proper type and have adequate brakes and other safety features.

- c. A proper baggage identification procedure with adequate security should be set up.
- d. Commercial staff should be trained for handling Restricted Articles/Dangerous Goods and a procedure be evolved for handling, storing and loading of such goods.
- e. A proper documentation for handling passengers like tickets, cargo/passenger manifest etc. should be set up.
- f. For guidance of passengers, a proper display depicting the restricted articles, type of hand baggage permitted, security rules etc. be placed at the CHECK IN counter.

6.10 Selection of Particular Aircraft for acquisition

The applicant should identify the particular aircraft and furnish its details as per the Performa (Annexure V) to DGCA. If import of aircraft is involved, the aircraft shall meet the criteria in respect of maximum permissible age, number of cycles/hours logged and Type Certification requirements as specified in CAR Section 2 Series 'F' Part XX for import of aircraft. This requirement is not applicable to aircraft acquired from domestic sources and which have been maintained in accordance with DGCA approved procedures unless some special conditions are imposed on the aircraft. The aircraft imported for the purpose shall be of the type design which is approved under Federal Aviation Administration (FAA), Joint Aviation Authorities (JAA), Civil Aviation Authority of United Kingdom (CAA,UK) or any other authority acceptable to DGCA. The aircraft shall be fitted with the equipments in accordance with Civil Aviation Requirements Section 2 Series 'I' and Series 'O'. The applicant shall obtain the up-to-date information about the status of compliance of Airworthiness Directives, Modifications and Service Bulletins and submit the same to the Regional/Sub-Regional Airworthiness Office of DGCA. While entering in any agreement for leasing the aircraft, the applicant must make it clear in the lease agreement that the aircraft after registration in India shall be maintained and operated, in accordance with the Indian rules, regulations, procedures and any conditions specified by DGCA and there shall be no binding or limitation of any kind in this regard in the lease agreement. The applicant shall give a clear undertaking to this effect while applying for NOC for acquisition of the aircraft. A copy of the lease agreement duly signed shall also be submitted to DGCA (DAW, Hqrs.)

6.11 Review Meeting to Assess State of Preparedness

In order to show the state of preparedness to commence operations, the applicant shall furnish to DGCA detail of the various steps taken as outlined in this circular and the other relevant CARs. Thereafter, joint review meeting shall be held at DGCA Headquarters with the Chief Executive, senior

Air Transport Advisory Circular 1 of 1997

managers in charge of Engineering, Operations and Commercial and the concerned DGCA officers at headquarters and Regional Airworthiness Office to assess the preparedness of the applicant. The applicant shall keep the concerned Regional/Sub-regional airworthiness office fully informed of the preparatory steps taken.

6.12 Inspection of Applicant's Facilities

After the review meeting, the applicant shall furnish a consolidated report on the state of preparedness required to be achieved to the Region/Sub-regional Airworthiness office with a copy to DGCA headquarters. Regional/Sub-regional Airworthiness office shall carry out inspection of the facilities and submit report to headquarters.

7. APPLICATION FOR GRANT OF NOC FOR IMPORT/ ACQUISITION OF AIRCRAFT

7.1 After the applicant demonstrates the state of preparedness on the steps required to be taken prior to acquisition of aircraft on aforesaid aspects, he may submit a written application to the Ministry of Civil Aviation for grant of No Objection Certificate for import/acquisition of aircraft. The application form for the NOC for import/acquisition of aircraft is given at Annexure V. The request would be considered by the Standing Committee. Based on the state of preparedness to the satisfaction of the Committee, appropriate recommendation will be made to the Ministry of Civil Aviation. The Ministry of Civil Aviation would inform the applicant about the decision of the Ministry. The permission in proper format shall be issued by DGCA. The permission for import/acquisition of the aircraft shall normally be valid for a period of one year. This permission may be extended by 3 months with prior approval of the competent authority. However, where the aircraft proposed to be imported is a new one with a definite delivery schedule, the validity of import permission will be in accordance with the delivery schedule. The applicant shall ensure that before import of the aircraft, all the DGCA mandatory modifications are complied with and that no major checks are due within three months/300 flight hours including those applicable to aging aircraft, if any. Component history cards should be obtained while acquiring the aircraft.

7.2 Extension of Expired Permission

The applicant must ensure that the permission for import/acquisition of the aircraft is valid till the date of arrival of aircraft in the country. In case the NOC expires, the applicant should get extension of the same from Ministry of Civil Aviation. It may, however, be noted that extension of permission shall not be automatic and may be granted only in accordance with the guidelines stipulated in para 5.2 of this circular. The applicant shall be taking the risk of denial of extension of permission if the necessary actions are not taken within the validity of the permission.

8. ACTION TO BE TAKEN AFTER ACQUISITION OF AIRCRAFT

8.1 Indian Certificate of Registration and Certificate of Airworthiness for the Aircraft.

After import of aircraft, the applicant shall get the aircraft registered in India. He should submit records to the regional airworthiness office to show that all the mandatory modifications and installation of equipment required by DGCA India have been complied with. The applicant should then complete the other requirements for obtaining the Indian C of A for the aircraft.

The operator shall submit to DGCA Headquarters (Air Transport Directorate) documents of current insurance coverage for liability towards hull, crew, passengers and other persons authorised to be on board, third party, cargo etc. in compliance with the requirements set forth under the Carriage by Air Act, 1972.

8.2 Approval of Maintenance Firm

The applicant should apply to the Regional/Sub-Regional Airworthiness office for approval of the maintenance organization in category 'C' to cover maintenance of the type of aircraft. The requirements and procedure for the approval are laid down in CAR Section 2 Series 'E'. The applicant shall comply with all the requirements and obtain approval of the firm from Regional/Sub-regional Airworthiness office of the DGCA.

8.3 Type Endorsement and Approval of Personnel

The applicant shall complete all the trainings and checks for the following categories of personnel and obtain their type endorsements or approval from DGCA.

- a. Flight Crew
- b. Aircraft Maintenance Engineers
- c. Cabin Attendants
- d. Flight Dispatchers
- e. Load and Trim Sheet Personnel

8.4 Compliance Report from Regional Airworthiness Office

The concerned Regional/Sub-regional Airworthiness Office of DGCA shall continuously monitor the development of infrastructure facilities and systems by the applicant and shall submit to DGCA headquarters report/information on the following:

- a) Compliance of CAR on leased aircraft operations.
- b) Approval of maintenance organization

Air Transport Advisory Circular 1 of 1997

- c) Arrangements made by the applicant for major maintenance and other maintenance related tasks.
- d) Valid C of A of the aircraft.
- e) Names of engineers and approval holders with details of endorsements

8.5 Proving Flights:

The applicant may be required to conduct proving flights to demonstrate the maturity of his total package. Proving flights will be conducted in all respects as if they were revenue services.

9. ISSUE OF AIR OPERATOR'S PERMIT

9.1 This is the final stage to see that the applicant has acquired the capability required to operate the services proposed in the application. At this stage, compliance with the following shall be ensured:

- a. All the necessary manpower, systems, infrastructure, equipment, tools, aircraft spares etc. shall be in place to commence the operation.
- b. If operations are planned from defence airfields, clearance of defence authorities should have been obtained and measures laid down in CAR Section 3 Series 'D' Part I shall be taken.
- c. For scheduled operations, clearance of the operating schedules from Airports Authority of India, Bureau of Civil Aviation Security and DGCA Headquarters is required.
- d. Operations to new airfields shall commence only after the measures stipulated in CAR Section 3 Series 'E' Part I are taken.

9.2 After satisfying that the applicant has met all the requirements and has acquired the desired capability to operate the air transport services, DGCA would grant the appropriate Air Operator's Permit. The aircraft acquired by the operator for operating the services are required to be entered in the Permit. The applicant can then commence the operations within the scope and terms and conditions of the Permit.

9.3 While the permit for scheduled operations can be issued on completion of all the requirements stipulated in Schedule XI of the Aircraft Rules, 1937, and CAR Section 3 Series 'C' Part II, the applicant for scheduled operations, whose application has been sent for gazette notification, can be authorised to commence operations with two aircraft subject to condition that the remaining aircraft shall be operationalised within two years of starting the operations i.e. the minimum fleet of five aircraft shall be put into operation and the operating permit for scheduled operations shall be obtained after meeting all the requirements within a period of two years. Failure in complying with this requirement will result in reversion of the applicant's operations to Non-

Air Transport Advisory Circular 1 of 1997

Scheduled operations. The operator must ensure that all the rules, regulations, procedures, requirements and directions issued by DGCA from time to time are complied with and his capability to conduct the operations is not degraded at any time. The burden of ensuring that before engaging an aircraft in any operation, it is appropriately insured, has a valid C of A and, if the aircraft is leased, the terms of lease agreement in respect of that aircraft are complied with, shall rest with the operator.

10. ACQUISITION OF ADDITIONAL AIRCRAFT

The procedure for acquisition of additional aircraft is the same as for import/acquisition of aircraft prior to grant of Permit. The operator shall show that he has additional number of pilots, engineers and other personnel to operate and maintain the additional aircraft. The operator shall also have to expand the Quality Control and Flight Safety Cells as the fleet size grows so that these vital functions are discharged satisfactorily. The additional aircraft can be put in operation only after it is entered in the Air Operator's Permit.

11. RENEWAL OF THE PERMIT

The Permit is normally valid for a maximum period of one year unless suspended or cancelled. The request for renewal of the permit should be made to DGCA at least thirty (30) days before the expiration date of the permit and should contain the information to show continued capability to operate the services. The operator shall also submit a copy of the internal safety audit report along with the action taken thereon and copies of the current insurance policy of the aircraft fleet. DGCA officers may carry out inspection of the facilities of the operator for the first renewal of the Permit and for subsequent renewals also, if required. The Checklist given in Annexure VI lists the major conditions to be fulfilled for renewal of the Permit. DGCA would renew the permit on being satisfied that the operator continues to maintain the required capability to operate the services authorised under the privileges of the permit. If some deficiencies are observed, the operator shall take immediate action to remove the same within a specified time failing which the Permit may not be renewed. It is obligatory on the part of the operator to ensure that his capability does not degrade during the validity period of the Permit.

12. CONTINUING SURVEILLANCE OF THE OPERATOR

12.1 The Regional/Sub-Regional Airworthiness and Air Safety officers, pilots of Flight Inspection Directorate, Safety Audit teams and the other concerned officers of DGCA shall exercise continuing surveillance of the operators to ensure safety in operations. The applicant is also required to conduct his own surveillance inspections and safety audits.

12.2 The areas to be covered in surveillance activities shall include at least a re-evaluation of the operator's organization, facilities, equipment, aircraft maintenance, operational control and supervision, maintenance of flight crew standards, passenger and cargo safety procedures, safety precautions,

Air Transport Advisory Circular 1 of 1997

security precautions, checking of operational and personal records, training, company manuals, compliance with the provisions of the Permit etc.

- 12.3 In the initial stages of operation, the operator shall be monitored for any irregular procedures and evidence of inadequate facilities and equipment. The emphasis of the surveillance and inspection programme by DGCA officers is to confirm that the methods or systems the operator intended to use to ensure compliance with the applicable regulations, are being followed and are effective in achievement of safety objectives.
- 12.4 When in the course of operator's surveillance, deficiencies are observed, prompt corrective action shall be initiated by the operator to correct the deficiencies within a specified time. If the operator fails or is unable to meet or maintain the required standards, the operator's privileges may be temporarily or permanently withdrawn or restricted.

Sd/-
(H.S. Kholā)
Director General of Civil Aviation

ANNEXURE IA

APPLICATION FOR GRANT OF NOC TO OPERATE SCHEDULED/NON-SCHEDULED AIR TRANSPORT SERVICES (PASSENGERS)

1. Applicant's details

A. In case of an individual

a) Name

b) Nationality

c) Address in India with Telephone, Telex, Fax numbers

B. In case of a company or a corporate body

a) Name of the company/corporate body with details of registration

b) Address with Telephone, Telex, Fax numbers of the registered office

c) In case of a company or a corporate body with details of registration

d) Full details of any other business the company are engaged in

e) Names and Nationality of the Board of Directors (Particulars to be given as per Annexure II)

f) Details of the share holding of the company

g) Percentage share of foreign nationals or company, if any, in the

capital of the company

h) A copy each of the certificate of incorporation and Memorandum and Articles of Association

i) Objects of the organization particularly with regard to proposed air transport operations

j) Details of experience in civil aviation field/ activities

2. Financial resources

a) Authorised equity capital

b) Subscribed equity capital

c) Other resources (attach supporting documents such as balance sheet, bank certificates etc.)

3. Details of Organisation

a) Overall set up including details of operational, management, engineering quality control set up, flight safety cell etc.

b) Proposed maintenance facility with details of organization, equipment and approved program.

c) Staff strength of the proposed maintenance personnel and plans of their training

d) Number and names of flight crew with details of their licences and training for each type of aircraft in the

fleet

e) Sources of pilots and engineers

f) Main maintenance base and operational bases

g) Details of the organization where the aircraft will night stop with number of aircraft at each place

4. Details of aircraft proposed to be operated

a) Whether the aircraft is acquired on outright purchase or lease finance (indicate whether wet lease or dry lease)

b) Name and address of Owner/Lessor for the purpose of registration of aircraft

c) Number and type of aircraft

d) Passenger seating capacity of each type of aircraft

e) Maximum all up weight

f) Name of authority who issued Type Certificate to the aircraft

g) Arrangements for ground handling equipment at each airport of proposed operations

h) Details of Personnel to handle dangerous goods

5. Types of Air Transport Services proposed

a) Scheduled Air Transport Services

b) Non-Scheduled Air Transport Services

6. Details of routes proposed to be operated with the type of aircraft, proposed flight schedule, frequency

7. Potential need for the proposed services

8. Projected profitability (a copy of feasibility study may be enclosed)

9. Availability seat km. proposed to be deployed in each category of routes/region

10. State if the applicant has at any time contravened any provision of the Aircraft Act 1934 and/or the rules made there under. If so, give details.

11. Particulars of fees, the name of the Bank (to be drawn on any scheduled bank in Delhi, payable to Central Pay and Accounts Office, New Delhi)

12. Statement showing compliance with the Civil Aviation Requirements, CAR Section 3 Series 'C' Part I, if the aircraft is leased by the operator.

13. Statement showing compliance with the Civil Aviation Requirements, CAR Section 3 Series 'E' Part I for operations to new stations, if

Air Transport Advisory Circular 1 of 1997

proposed.

14. By what time the operations are proposed to be started

15. Other information to meet the provisions of the Aircraft Rules 1937

16. Details of security programme approved by BCAS

Certified that the statements made/information given in this application are true.

(Signature of the applicant/authorised signatory)

Note: Eight copies of the application are required to be submitted to the Ministry of Civil Aviation (Department of Civil Aviation). All copies of the application should be supported by documents wherever necessary.

ANNEXURE IB

APPLICATION FOR GRANT OF NOC TO OPERATE SCHEDULED/ NON-SCHEDULED AIR TRANSPORT SERVICES (CARGO)

1. Applicant's details

A. In case of an individual

a) Name

b) Nationality

c) Address in India with Telephone, Telex, Fax numbers

B. In case of a company or a corporate body

a) Name of the company/corporate body with details of registration

b) Address with Telephone, Telex, Fax numbers of the registered office

c) Address of principal office of business, including operations and maintenance bases

d) Full details of any other business the company are engaged in

e) Names and Nationality of the Board of Directors (Particulars to be given as per Annexure II)

f) Details of the share holding of

the company

g) Percentage share of foreign nationals or company, if any, in the capital of the company

h) A copy each of the certificate of incorporation and Memorandum and Articles of Association

i) Objects of the organization particularly with regard to proposed air transport operations

j) Details of experience in civil aviation field/ activities

2. Financial resources

a) Authorised equity capital

b) Subscribed equity capital

c) Other resources (attach supporting documents such as balance sheet, bank certificates etc.)

3. Details of Organisation

a) Overall set up including details of operational, management, engineering quality control set up, flight safety cell etc.

b) Proposed maintenance facility with details of organization, equipment and approved program.

c) Staff strength of the proposed maintenance personnel and plans

of their training

d) Number and names of flight crew with details of their licences and training for each type of aircraft in the fleet

e) Sources of pilots and engineers

f) Main maintenance base and operational bases

4. Details of aircraft proposed to be operated

a) Whether the aircraft is acquired on outright purchase or lease finance (indicate whether wet lease or dry lease)

b) Name and address of Owner/Lesser for the purpose of registration of aircraft

c) Number and type of aircraft

d) Cargo capacity of each type of aircraft

e) Maximum all up weight

f) Whether the aircraft is type certified as freighter, if so, by which authority

g) Arrangements for ground handling equipment for loading and unloading of cargo at each airport of proposed operations

h) Arrangements for cooling of cargo as per BCAS requirements

i) Arrangements of X-ray of cargo (if carried out) as per BCAS requirements

j) Details of Personnel to handle

dangerous goods

5. Types of Air Transport Services proposed

a) Scheduled Air Transport Services (Cargo)

b) Non-Scheduled Air Transport Services (Cargo)

6. Details of routes proposed to be operated with the type of aircraft

7. Potential need for the proposed services

8. Projected profitability (a copy of feasibility study may be enclosed)

9. State if the applicant has at any time contravened any provision of the Aircraft Act 1934 and/or the rules made thereunder. If so, give details.

10. Particulars of fees, the name of the Bank (to be drawn on any scheduled bank in Delhi, payable to Central Pay and Accounts Office, New Delhi)

11. Statement showing compliance with the Civil Aviation Requirements, CAR Section 3 Series 'C' Part I, if the aircraft is leased by the operator.

12. Statement showing compliance with the Civil Aviation Requirements, CAR Section 3 Series 'E' Part I for operations to

Air Transport Advisory Circular 1 of 1997

new stations, if proposed.

13. By what time the operations are proposed to be started

14. Other information to meet the provisions of the Aircraft Rules 1937

15. Details of security programme approved by BCAS

Certified that the statements made/information given in this application are true.

(Signature of the applicant/authorised signatory)

Note: Eight copies of the application are required to be submitted to the Ministry of Civil Aviation (Department of Civil Aviation). All copies of the application should be supported by documents wherever necessary.

ANNEXURE IIA

INFORMATION REQUIRED FOR SECURITY CLEARANCE OF CHAIRMAN AND DIRECTORS OF BOARDS (INDIAN NATIONALS)

1. Name and address of the organization
2. Name of the applicant in full
3. Father's name in full
4. Date and place of birth
5. Permanent address in India
6. Present address in India
7. Present occupation
8. Qualification
9. Bankers
10. Any other relevant information

Authorised Signatory of the Company

Countersigned:

ANNEXURE IIB

INFORMATION REQUIRED FOR SECURITY CLEARANCE OF CHAIRMAN AND DIRECTORS OF BOARDS (NRI)

1. Name and address of the organization
2. Name of the applicant in full
3. Father's name in full
4. Date and place of birth
5. Permanent address in India
6. Home address (abroad)
7. Passport No. Date and place of Issue
8. Present occupation
9. Duration of stay abroad
10. Qualifications
11. Bankers
12. Any other relevant information

Authorised Signatory of the Company

Countersigned:

ANNEXURE III

INFORMATION FOR SECURITY CLEARANCE OF FOREIGN PILOTS/ENGINEERS

1. Name of the Pilot/Engineer
2. Nationality
3. Permanent Address
4. Date of Birth
5. a) Passport No.
b) Validity
6. Visa details
7. Details of Licence held
 - a. country of Issue
 - b. Validity
 - c. Medical
 - d. Rating/endorsement
8. Flying/maintenance Experience
 - a. Total experience
 - b. Experience on type for which authorisation sought
 - c. Experience during the previous one year
 - d. Date when last flown/maintained the type of aircraft for which authorisation is sought
9. Past history details (Any accidents, incidents, suspension etc of the licence)
10. Level of knowledge of English language
11. Whether previously operated or maintained Indian registered aircraft (if so, give the detail)
12. Whether operated/maintained aircraft registered elsewhere
13. Any other information

Signature

ANNEXURE IV

INFORMATION REQUIRED TO BE FURNISHED IN THE GAZETTE OF INDIA

FORM FOR GAZETTE NOTIFICATION

(To be published in Part II, Section 3, Sub-section (1) of the Gazette of India)

GOVERNMENT OF INDIA
DIRECTOR GENERAL OF CIVIL AVIATION

Dated New Delhi,

NOTIFICATION

GSR No. _____ The following particulars regarding an application dated _____ by M/s _____ for the grant of a Permit to operate scheduled air transport services within India are being published as required under paragraph 6 of Schedule XI of the Aircraft Rules, 1937, for the information of all persons.

Notice is hereby given that the said application will be taken into consideration by the Director General for disposal thirty days after the date of its application.

Any person may, within twenty days of its application make a representation to the Director General in writing, setting out the specific grounds on which the representation is made. A copy of every such representation shall be sent by the person making it to M/s _____ at the same time as it is sent to the Director General and a Certificate to that effect shall be attached to the representation.

The Director General will take into consideration the representation(s) received in accordance with the provisions of paragraph 7 of Schedule XI of the Aircraft Rules, 1937.

PARTICULARS OF APPLICATION

1. Name/address of the applicant:
2. Operations and maintenance base:
3. Name and address of the Chairman and Board of Directors together with their nationality:
4. Percentage share of foreign nations or Company, if any, in the capital of the

Air Transport Advisory Circular 1 of 1997

Company:

5. Financial Resources

(a) Subscribed equity capital

(b) Other resources

6. Number and type of aircraft proposed to be operated:

7. Details of routes proposed to be operated with type of aircraft and flight schedules:

8. Available seat Kms proposed to be deployed in each category of routes/regions in pursuance of the Government Order No. AV. 11012/2/94-A, dated 1.3.1994.

Cat I	Cat II	Intra	Cat II	Cat III
-------	--------	-------	--------	---------

9. Details of tariff showing fares, rates and charges for transportation of passengers and goods:

Note: Further particulars regarding the application if required, may be referred with the Deputy Director Air Transport in the Directorate General of Civil Aviation, Opposite Safdarjung Airport, New Delhi - 110003

(F. No.)

Deputy Director Air Transport
for Director General of Civil Aviation

To

The Manager,
Government of India Press,
Mayapuri Industrial Area,
Ring Road,
New Delhi - 110 064.

ANNEXURE V

INFORMATION REQUIRED FOR GRANT OF PERMISSION FOR ACQUISITION OF AIRCRAFT/HELICOPTER

1. Name and address of the Operator

2. Names and addresses of Director of the firm:

3. a) Whether the aircraft is acquired on purchase or lease finance (state dry lease or wet lease)

b) If aircraft is acquired on lease finance, the Name and address of Owner/lesser (for the purpose of registration of the aircraft)

4. Purpose for which the aircraft is acquired

Scheduled Air Transport Service (Passenger or Cargo)

Non-Scheduled Air Transport Service (Passenger)

Non-Scheduled Air Transport Service (Cargo)

Others (please specify)

5. Details of the Aircraft:

a) Type and Make

b) Nationality and Registration

c) Year of manufacture

d) Name of Manufacturer

Air Transport Advisory Circular 1 of 1997

- e) Serial Number
- f) No. of Passenger seats permissible as per type certificate of the aircraft/ helicopter
- g) Maximum All up weight
- h) Number of hours flown since new
- i) Number of landings since new
- j) Number of pressurisation cycles since new
- k) Engine type mounted on the aircraft
- l) Last major check done and number of hours since flown
- m) next major check due on and after how many hours
- n) Previous history of the aircraft with details of any incident/accident involving structural damage
- o) Name of the Authority and country which issued the last Certificate of Airworthiness
- p) Name of the company from which the aircraft/helicopter is being taken on lease

UNDERTAKING

It is confirmed that the aircraft after registration in India shall be maintained, operated and de-registered (if required) in accordance with the Indian rules, regulations, procedures and any conditions specified by DGCA India and there is no binding or limitation of any kind in this regard in the lease agreement for the acquisition of the aircraft.

(Signature of the Applicant/Authorised Signatory)

ANNEXURE VI

INFORMATION REQUIRED FOR RENEWAL OF PERMIT

1. Copy of the report of internal safety audit carried out within 60 days prior to expiry of permit and action taken report on the findings.
2. Copies of C of A of aircraft fleet.
3. Copies of the current insurance cover of the aircraft.
4. Action taken on any observation from the regional airworthiness office/ Flight Inspection/ Air Safety Directorate.
5. Report of inspection of the facilities (if first renewal)
6. Evidence to show continuous maintenance of capability.
7. Action taken or pending for any violation.
8. Information about change in Board of Directors (if any).

* * *